

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

ANDREW BERKOWITZ

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**CRIMINAL NO.
19-CR-356**

ORDER

AND NOW, to wit, this day of , 2020 upon consideration of the
defendant's Motion to Continue the Sentencing Hearing, and for good cause shown, it is

ORDERED

that the Motion is hereby GRANTED.

The Sentencing Hearing in this matter is continued to , 2020, at
a.m./p.m.

BY THE COURT:

Honorable Paul Diamond

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

ANDREW BERKOWITZ

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**CRIMINAL NO.
19-CR-356**

MOTION FOR CONTINUANCE OF SENTENCING HEARING

Defendant, by his attorney, MARC NEFF, ESQUIRE, petitions this Honorable Court to continue the sentencing hearing of defendant and states in support thereof the following:

1. The defendant was indicted on or about June 25, 2019 and that Indictment was sealed. It was unsealed on June 27, 2019 and the defendant appeared that day before Magistrate Judge Lynn A. Sitarski.
2. On September 25, 2019, after resolving certain conflict of interest issues regarding prior counsel, the Court allowed counsel herein to enter an appearance for the defendant.
3. On January 24, 2020, the defendant entered a guilty plea before this Honorable Court.
4. The Court scheduled the sentencing hearing for May 14, 2020.
5. Counsel herein was granted a sixty (60) day continuance of the sentencing.
6. The current sentencing date is July 16, 2020.
7. Due to the COVID-19 pandemic, the City of Philadelphia has been shut down since March, 2020, as has the Federal Detention Center, where the defendant is housed without bail. No visitations are permitted.

8. Counsel herein has not had any face to face contact with the defendant.
9. Counsel has received the draft presentence investigation report.
10. The presentence report has raised complex issues that need to be addressed by Counsel and the defendant.
11. Since the last continuance, counsel herein has filed an amended motion to withdraw as counsel based, in large part, on a conflict of interest.
12. The Court's Deputy Clerk is scheduling the motion in late August or Early September.
13. The Assistant United States Attorney and the Probation Officer have not indicated whether they are opposed to a continuance.

WHEREFORE, counsel herein respectfully requests that the sentencing hearing in the matter of United States v. Andrew Berkowitz be continued for at least sixty (60) days after the Court's decision on the Amended Motion to Withdraw as Counsel.

Respectfully submitted,

/s/ Marc Neff
Marc Neff, Esquire
1845 Walnut Street, Suite 1300
Philadelphia, PA 19109
(215) 563-9800
Email: marc@neffsedacca.com
Attorney for Defendant, Andrew Berkowitz

Date: June 11, 2020

**IN THE UNITED STATES DISTRICT COURT
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v.

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CERTIFICATION OF SERVICE

I, Marc Neff, Esquire, Counsel for Defendant, do hereby certify that on this 11th day of June, 2020, I electronically filed the attached document (Defendant, Andrew Berkowitz's Motion for Continuance of Sentencing Hearing) with the Clerk of the District Court using CM/ECF, which will send notification of the filing to the following registered participants:

M. Beth Leahy, Esquire
Assistant United States Attorney
United States Attorney's Office
615 Chestnut Street
Suite 1250
Philadelphia, PA 19106-4476

/s/ Marc Neff

Marc Neff, Esquire
1845 Walnut Street, Suite 1300
Philadelphia, PA 19109
(215) 563-9800

Email: marc@neffsedacca.com

Attorney for Defendant, Andrew Berkowitz

Date: June 11, 2020